

## Liggins, Shirley

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**From:** Harriger, Joselyn  
**Sent:** Thursday, April 14, 2016 5:28 PM  
**To:** Aja, Deborah; Alexander, Delonda; Andersen, Jan; Barnhardt, Art; Basinger, Corey; Bateson, James; Bolich, Rick; Bradford, Teresa; Bullock, Scott; Burch, Brent; Caulk, Kim; Davidson, Landon; Davies, Robert; Day, Collin; Doorn, Peter; Gregson, Jim; Jackson, Vance; Jesneck, Charlotte; Karoly, Cyndi; King, Morella s; Knight, Sherri; Kritzer, Jamie; Kromm, Carin; Lorscheider, Ellen; Lown, David; Marks, Cheryl; May, David; Mccarty, Bud; Mussler, Ed; Parker, Michael; Patterson, Jenny; Phelps, Michael; Pitner, Andrew; Poupart, Jeff; Powers, Mark; Qi, Qu; Randolph, Wayne; Risgaard, Jon; Scott, Georgette; Smith, Danny; Swope, Eric; Taraban, Ron; Walch, John; Watkins, Jason; Woosley, Julie; Zimmerman, Jay  
**Cc:** Liggins, Shirley; Nicholson, Bruce; Wahl, Tracy; Edwards, Caroline  
**Subject:** DEQ Internal Notice - Shops on Innes Brownfields Property Application  
**Attachments:** Map of Shops on Innes Property.pdf

To DEQ Cleanup Programs:

This is an internal courtesy notice to inform your program that the DEQ Brownfields Program has received a Brownfields Property Application (for the Redevelopment Now tract) submitted by **SBBHAK, LLC** as the Prospective Developer (PD) seeking entry into the Brownfields Program for the following property:

**Site Name:** Shops on Innes  
**Address:** 1517, 1539, 1541 East Innes Street  
**City/County/Zip:** Salisbury, Rowan County, 28146  
**BF Project Number:** 20029-16-080  
**Tax ID:** 070 002 (1517 E Innes St), 070 118 (1539 E Innes St), 070 00301 (1541 E Innes St)  
**AKA:** Fowler Motors  
**Known Identifying Numbers:**  
**UST Facility ID:** 19213

**Map:** See attached Figure for the property extent. Below is a link to the location on Google Maps:  
<https://www.google.com/maps/place/1541+E+Innes+St,+Salisbury,+NC+28146/@35.651597,-80.4587707,17z/data=!3m1!4m2!3m1!1s0x8853f3336bec239f0x4f380b9240584e5c>

We are now evaluating **SBBHAK, LLC** and the subject property for eligibility for entry into the Brownfields Program. The site was formerly utilized as a car dealership, night club, restaurant, and dentist office. Currently, the only tenant remaining is the dentist office and the rest of the property is vacant. Impacts at the property reportedly include chlorinated solvents and petroleum. The PD has proposed a new 13,000 square foot multi-tenant building for retail and restaurant spaces, an extension of Newsome Road, and a free standing retail building.

Information regarding the applicant PD is as follows:

**PD Representative:** Alexander G. Kelly  
**Entity Name:** SBBHAK, LLC  
**Address:** 2820 Selwyn Avenue, Suite 425  
Charlotte, NC 28209  
**Phone:** 704-714-2852  
**Fax No.:** 704-333-8485  
**Email:** [akelly@tribek.com](mailto:akelly@tribek.com)

Website: [www.tribek.com](http://www.tribek.com)

Under the Brownfields Property Reuse Act, only entities that did not cause or contribute to the contamination at the property are eligible to enter the program. The applicant PD listed below have asserted that: 1) they have not caused or contributed to the contamination at the property, and 2) they have substantially complied with laws, regulations, and rules for the protection of the environment. If you have any information to suggest otherwise, please provide that information to me at [joselyn.harriger@ncdenr.gov](mailto:joselyn.harriger@ncdenr.gov) or 704-235-2195 by April 21, 2016.

A Brownfields Agreement (BFA) has no legal effect on your agency's authority to regulate or enforce against any and all parties who caused or contributed to the contamination at the property. In fact, the BFA will require the developer to provide access to the property to any party doing work under any DEQ program.

A BFA provides liability protection only to a non-causative redeveloper of the property. The developer will be required to make the property safe for its intended re-use. Cleanup to unrestricted use standards will not be required unless deemed necessary based on the developer's proposed use of the property. Furthermore, the BFA will not change the developer's responsibility to obtain any and all DEQ permits (e.g. storm water, sediment control, NPDES, etc.) as required under applicable law.

If you have any questions, please don't hesitate to contact me.

Thank you,

Joselyn Harriger, PG  
Project Manager  
Brownfields Program  
Department of Environmental Quality

704-235-2195 office  
[joselyn.harriger@ncdenr.gov](mailto:joselyn.harriger@ncdenr.gov)

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Suite 301  
Mooresville, NC 28115



 Nothing Compares

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